

PATENT
002905.0110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Jay E. Widman**

§ Group Art Unit: **2831**

Serial No.: **09/904,747**

§ Examiner: **Angel R. Estrada**

Filed: **July 13, 2001**

§ Attorney Docket No: **002905.0110**

Title: **Apparatus and Method For Sealing
A Conduit**

§

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed December 15, 2003, finally rejecting claims 1-20.

Check #877990 in the amount of \$165.00 for filing the Notice of Appeal, at the small entity rate, is enclosed. Should the check be insufficient or omitted, or should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, or should an overpayment be included herein, the Commissioner is hereby authorized to deduct the fee from Baker Botts L.L.P. Deposit Account No. 02-0383, Order No. 002905.0110.

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Kindly date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,



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Date: February 13, 2004

ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING VIA EXPRESS MAIL

Pursuant to 37 C.F.R. § 1.10, I hereby certify that I have information and a reasonable basis for belief that this correspondence will be deposited as Express Mail Post Office to Addressee with the United States Postal Service in an envelope addressed to:

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on February 13, 2004.

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February 13, 2004 EV 339229543 US

Express Mail No.: EV 339229543 US

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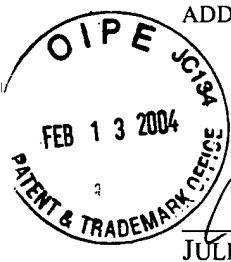
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02.13.2004

DATE

02/13/2004
DATE OF MAILING

EV339229543US
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U.S.S.N.: 09/904,747
FILING DATE: JULY 13, 2001
APPLICANT: WIDMAN
GROUP ART UNIT: 2831
EXAMINER: ESTRADA, ANGEL R.
ATTORNEY DOCKET NO. 002905.0110
TITLE: "APPARATUS AND METHOD FOR SEALING A CONDUIT"

INCLUDED IN THIS MAILING FOR THE ABOVE-REFERENCED CONTINUATION PATENT APPLICATION ARE:

1. NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES;
2. FEE TRANSMITTAL FORM, WITH DUPLICATE COPY FOR FEE PROCESSING (PTO/SB/17);
3. CHECK #877990 IN THE AMOUNT OF \$165.00 FOR THE APPEAL FEE, SMALL ENTITY RATE;
4. RETURN POSTCARD TO ACKNOWLEDGE RECEIPT OF ABOVE ITEMS.

ATTORNEY CONTACT: PAUL R. MORICO
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PTO ID NUMBER: **023640**



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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 165.00)

Complete If Known

Application Number	09/904,747
Filing Date	07.13.2001
First Named Inventor	WIDMAN
Examiner Name	ESTRADA, ANGEL R.
Art Unit	2831
Attorney Docket No.	002905.0110

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number 02-0383
Deposit Account Name BAKER BOTTS L.L.P. 023640

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	165.00
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)		(\$ 165.00)	

(Complete if applicable)

Name (Print/Type)	PAUL R. MORIGO	Registration No. (Attorney/Agent)	35,960	Telephone	713.229.1732
Signature		Date			02.13.2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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